

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

FILED

2018 MAR -9 AM 11:06

REGIONAL HEARING CLERK  
EPA REGION VI

IN THE MATTER OF:  
SBA SHIPYARD SUPERFUND SITE  
JENNINGS, JEFFERSON DAVIS  
PARISH, LOUISIANA

CERCLA Docket No. 06-08-16

ACBL Oldco, LLC  
American Commercial Barge Line LLC  
Ashland LLC  
Canal Barge Company, Inc.  
Cenac Towing Company, LLC  
Hornbeck Offshore Transportation, LLC  
Martin Energy Services LLC  
Martin Operating Partnership L.P.  
Talen's Marine & Fuel, LLC  
Phillips 66 Company

Respondents

**ADMINISTRATIVE SETTLEMENT  
AGREEMENT AND ORDER ON  
CONSENT FOR REMEDIAL  
INVESTIGATION/FEASIBILITY  
STUDY**

Proceeding Under Sections 104, 107  
and 122 of the Comprehensive  
Environmental Response, Compensation,  
and Liability Act, 42 U.S.C. §§ 9604,  
9607 and 9622.

**FIRST AMENDMENT TO THE ADMINISTRATIVE SETTLEMENT  
AGREEMENT AND ORDER ON CONSENT FOR REMEDIAL  
INVESTIGATION/FEASIBILITY STUDY**

On November 18, 2016, the United States Environmental Protection Agency ("EPA") and the Respondents listed above ("Respondents") entered into an Administrative Settlement Agreement and Order on Consent, Docket No. CERCLA 06-08-16 ("Settlement Agreement"), in connection with a remedial investigation and feasibility study ("RI/FS") for the SBA Shipyard Superfund site ("Site") in Jennings, Louisiana. This First Amendment to Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study ("First Amendment") is issued under the authority vested in the President of the United States by Sections 104, 106(a), 107, and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §§ 9604, 9606, 9607, and 9622. The authority vested in the President has been delegated to the Administrator of the EPA by Executive Order 12580, 52 Fed. Reg. 2923 (Jan.29, 1987), and further delegated to the Regional Administrators by EPA Delegation

No. 14-14-C (May 11, 1994). This authority has been further delegated by the Regional Administrator to the Director, Superfund Division, by EPA Regional Delegation No. R6-14-14-C (June 8, 2001).


Pursuant to Paragraph 115 of Section XXIX (Effective Date and Subsequent Modification) of the Settlement Agreement, the Settlement Agreement is hereby modified and amended by mutual agreement of EPA and the Respondents to add two additional parties to the Settlement Agreement and amend Appendix C of the Settlement Agreement as attached. The two new parties to the Settlement Agreement are (i) Ingram Barge Company LLC and (ii) Superfund Management Operations, a series of Evergreen Resources Group, LLC, as successor in interest to Sun Oil Company n/k/a Sunoco, Inc. and Sun Marine Terminals of Louisiana, Inc. By their signature to this First Amendment, they are agreeing to both the Settlement Agreement and the First Amendment.

The Settlement Agreement is incorporated here by reference. Except as otherwise specified in this First Amendment, all other terms and conditions of the Settlement Agreement remain unchanged and in full effect.

This First Amendment is effective on the date signed by EPA. Upon the effective date of the First Amendment, Ingram Barge Company LLC and Superfund Management Operations, a series of Evergreen Resources Group, LLC, agree to all terms and conditions of the Settlement Agreement and will be subject to the all obligations under the Settlement Agreement.

IT IS SO AGREED AND ORDERED:

U.S. Environmental Protection Agency

By:   
Carl E. Edlund, P.E.  
Director, Superfund Division  
EPA Region 6

Date: 03/07/18

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:

SBA SHIPYARD SUPERFUND SITE  
JENNINGS, JEFFERSON DAVIS  
PARISH, LOUISIANA

CERCLA Docket No. 06-08-16

ACBL Oldco, LLC  
American Commercial Barge Line LLC  
Ashland LLC  
Canal Barge Company, Inc.  
Cenac Towing Company, LLC  
Hornbeck Offshore Transportation, LLC  
Martin Energy Services LLC  
Martin Operating Partnership LP  
Talen's Marine & Fuel, LLC  
Phillips 66 Company

Respondents

Proceeding Under Sections 104, 107  
and 122 of the Comprehensive  
Environmental Response, Compensation,  
and Liability Act, 42 U.S.C. §§ 9604,  
9607 and 9622.

**FIRST AMENDMENT TO THE  
ADMINISTRATIVE SETTLEMENT  
AGREEMENT AND ORDER ON  
CONSENT FOR REMEDIAL  
INVESTIGATION/FEASIBILITY  
STUDY**

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: ACBL Oldco, LLC

1701 E. Market St., Jeffersonville IN 47130

Print Address

BY: 

Signature

2/21/2018

Date

Dawn R. Landry, SUPERVISOR

Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Sean P. Gallagher

Title: Sr. Corporate Counsel

Address: 1701 E. Market St.  
Jeffersonville IN 47130

Telephone Number: 812-288-0599

Email: Sean.Gallagher@aclines.com



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	<b>FIRST AMENDMENT TO THE</b>
	)	<b>ADMINISTRATIVE SETTLEMENT</b>
	)	<b>AGREEMENT AND ORDER ON</b>
Proceeding Under Sections 104, 107	)	<b>CONSENT FOR REMEDIAL</b>
and 122 of the Comprehensive	)	<b>INVESTIGATION/FEASIBILITY</b>
Environmental Response, Compensation,	)	<b>STUDY</b>
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: American Commercial Barge Line LLC

1701 E. Market St., Jeffersonville IN 47130

Print Address

BY: 

Signature

2/21/2018

Date

Dawn R. Landry, SUPER GC

Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Sean P. Gallagher

Title: Sr. Corporate Counsel

Address: 1701 E. Market St.  
Jeffersonville IN 47130

Telephone Number: 812-288-0599

Email: Sean.Gallagher@aclines.com

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:  
SBA SHIPYARD SUPERFUND SITE  
JENNINGS, JEFFERSON DAVIS  
PARISH, LOUISIANA  
  
ACBL Oldco, LLC  
American Commercial Barge Line LLC  
Ashland LLC  
Canal Barge Company, Inc.  
Cenac Towing Company, LLC  
Hornbeck Offshore Transportation, LLC  
Martin Energy Services LLC  
Martin Operating Partnership LP  
Talen's Marine & Fuel, LLC  
Phillips 66 Company  
  
Respondents  
  
Proceeding Under Sections 104, 107  
and 122 of the Comprehensive  
Environmental Response, Compensation,  
and Liability Act, 42 U.S.C. §§ 9604,  
9607 and 9622.

CERCLA Docket No. 06-08-16

**FIRST AMENDMENT TO THE  
ADMINISTRATIVE SETTLEMENT  
AGREEMENT AND ORDER ON  
CONSENT FOR REMEDIAL  
INVESTIGATION/FEASIBILITY  
STUDY**

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: ASHLAND LLC

500 Hercules Road, Wilmington, DE 19808  
Print Address

BY: RJW  
Signature

2/23/2018  
Date

Richmond L. Williams  
Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	<b>FIRST AMENDMENT TO THE</b>
	)	<b>ADMINISTRATIVE SETTLEMENT</b>
	)	<b>AGREEMENT AND ORDER ON</b>
	)	<b>CONSENT FOR REMEDIAL</b>
Proceeding Under Sections 104, 107	)	<b>INVESTIGATION/FEASIBILITY</b>
and 122 of the Comprehensive	)	<b>STUDY</b>
Environmental Response, Compensation,	)	
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	
	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Canal Barge Co., Inc.

835 Union St, New Orleans, LA 70112  
Print Address

BY: [Signature] 3/5/18  
Signature Date

W Spencer Murphy  
Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Spencer Murphy

Title: General Counsel

Address: 835 Union St.

New Orleans, LA 70112

Telephone Number: (504) 584 1212

Email: smurphy@canalbarge.com

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	<b>FIRST AMENDMENT TO THE</b>
	)	<b>ADMINISTRATIVE SETTLEMENT</b>
	)	<b>AGREEMENT AND ORDER ON</b>
Proceeding Under Sections 104, 107	)	<b>CONSENT FOR REMEDIAL</b>
and 122 of the Comprehensive	)	<b>INVESTIGATION/FEASIBILITY</b>
Environmental Response, Compensation,	)	<b>STUDY</b>
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	
	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: CENAC TOWING Co., LLC

P.O. Box 2617 Houma LA 70361

Print Address

BY: 

Signature

March 19, 2018

Date

MAC, by permission

Arlen B. Cenac, Jr., MANAGING MEMBER

Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	<b>FIRST AMENDMENT TO THE</b>
	)	<b>ADMINISTRATIVE SETTLEMENT</b>
	)	<b>AGREEMENT AND ORDER ON</b>
Proceeding Under Sections 104, 107	)	<b>CONSENT FOR REMEDIAL</b>
and 122 of the Comprehensive	)	<b>INVESTIGATION/FEASIBILITY</b>
Environmental Response, Compensation,	)	<b>STUDY</b>
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	
	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Hornbeck Offshore Transportation, LLC

103 Northpark Boulevard, Suite 300, Covington, LA 70433

Print Address

BY: 

Signature

February 27, 2018

Date

Samuel A. Giberga, Executive Vice President & General Counsel

Print Name of Signatory



Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Kathleen A. Harrison

Title: Senior Counsel - Compliance

Address: 103 Northpark Boulevard, Suite 300

Covington, LA 70433

Telephone Number: 985-624-1235

Email: kathleen.harrison@hornbeckoffshore.com

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	<b>FIRST AMENDMENT TO THE</b>
	)	<b>ADMINISTRATIVE SETTLEMENT</b>
	)	<b>AGREEMENT AND ORDER ON</b>
	)	<b>CONSENT FOR REMEDIAL</b>
Proceeding Under Sections 104, 107	)	<b>INVESTIGATION/FEASIBILITY</b>
and 122 of the Comprehensive	)	<b>STUDY</b>
Environmental Response, Compensation,	)	
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	
	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Martin Operating Partnership L.P., by Martin Operating GP LLC, its general partner, by Martin Midstream Partners L.P., its sole member, by Martin Midstream GP LLC, its general partner

4200 Stone Rd., Kilgore, Texas 75662

Print Address

BY:

Signature

Date

Robert D. Bondurant

Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Chris Booth

Title: General Counsel

Address: 4200 Stone Rd

Kilgore TX 75662

Telephone Number: (903) 988-6443

Email: Chris.booth@martinmlp.com

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF: )  
SBA SHIPYARD SUPERFUND SITE )  
JENNINGS, JEFFERSON DAVIS )  
PARISH, LOUISIANA )  
)  
ACBL Oldco, LLC )  
American Commercial Barge Line LLC )  
Ashland LLC )  
Canal Barge Company, Inc. )  
Cenac Towing Company, LLC )  
Hornbeck Offshore Transportation, LLC )  
Martin Energy Services LLC )  
Martin Operating Partnership LP )  
Talen's Marine & Fuel, LLC )  
Phillips 66 Company )  
)  
Respondents )  
)  
)  
Proceeding Under Sections 104, 107 )  
and 122 of the Comprehensive )  
Environmental Response, Compensation, )  
and Liability Act, 42 U.S.C. §§ 9604, )  
9607 and 9622. )  
)

CERCLA Docket No. 06-08-16

**FIRST AMENDMENT TO THE  
ADMINISTRATIVE SETTLEMENT  
AGREEMENT AND ORDER ON  
CONSENT FOR REMEDIAL  
INVESTIGATION/FEASIBILITY  
STUDY**

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Talen's Marine & Fuel, LLC

4200 Stone Rd., Kilgore, Texas 75662

Print Address

BY:

Signature

Date

Robert D. Bondurant

Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Chris Booth

Title: General Counsel

Address: 4200 Stone Rd

Kilgore, TX 75662

Telephone Number: (903) 988-6443

Email: Chris.booth@martinmlp.com



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	<b>FIRST AMENDMENT TO THE</b>
	)	<b>ADMINISTRATIVE SETTLEMENT</b>
	)	<b>AGREEMENT AND ORDER ON</b>
Proceeding Under Sections 104, 107	)	<b>CONSENT FOR REMEDIAL</b>
and 122 of the Comprehensive	)	<b>INVESTIGATION/FEASIBILITY</b>
Environmental Response, Compensation,	)	<b>STUDY</b>
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	
	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Martin Energy Services, LLC

4200 Stone Rd., Kilgore, Texas 75662

Print Address

BY:

Signature

Date

Robert D. Bondurant

Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Chris Booth

Title: General Counsel

Address: 4200 Stone Rd

Kilgore TX 75662

Telephone Number: (903) 988-6443

Email: Chris.booth@martinmlp.com

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	FIRST AMENDMENT TO THE
	)	ADMINISTRATIVE SETTLEMENT
	)	AGREEMENT AND ORDER ON
Proceeding Under Sections 104, 107	)	CONSENT FOR REMEDIAL
and 122 of the Comprehensive	)	INVESTIGATION/FEASIBILITY
Environmental Response, Compensation,	)	STUDY
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Phillips 66 Company, a Delaware corporation, as successor in interest to certain liabilities of ConocoPhillips Company (as successor in interest to Conoco Inc. and Continental Oil Company)

Phillips 66 Operations Center, 1075 W. Sam Houston Parkway N, Suite 200, Houston, Texas 77042

Print Address

BY: 

Signature

 3/1/2018  
Date

Daniel S. Fischman

Print Name of Signatory

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF:	)	
SBA SHIPYARD SUPERFUND SITE	)	CERCLA Docket No. 06-08-16
JENNINGS, JEFFERSON DAVIS	)	
PARISH, LOUISIANA	)	
	)	
ACBL Oldco, LLC	)	
American Commercial Barge Line LLC	)	
Ashland LLC	)	
Canal Barge Company, Inc.	)	
Cenac Towing Company, LLC	)	
Hornbeck Offshore Transportation, LLC	)	
Martin Energy Services LLC	)	
Martin Operating Partnership LP	)	
Talen's Marine & Fuel, LLC	)	
Phillips 66 Company	)	
	)	
Respondents	)	<b>FIRST AMENDMENT TO THE</b>
	)	<b>ADMINISTRATIVE SETTLEMENT</b>
	)	<b>AGREEMENT AND ORDER ON</b>
Proceeding Under Sections 104, 107	)	<b>CONSENT FOR REMEDIAL</b>
and 122 of the Comprehensive	)	<b>INVESTIGATION/FEASIBILITY</b>
Environmental Response, Compensation,	)	<b>STUDY</b>
and Liability Act, 42 U.S.C. §§ 9604,	)	
9607 and 9622.	)	
	)	

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Ingram Barge Company LLC  
4400 Harding Pike, Nashville, TN 37205  
Print Address

BY: Daniel P. Mecklenborg 2/21/2018  
Signature Date

Daniel P. Mecklenborg  
Print Name of Signatory  
Chief Legal Officer + Secretary



Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Daniel P. Mecklenborg

Title: Chief Legal Officer + Secretary

Address: 4400 Harding Pike  
Nashville, TN 37205

Telephone Number: 615 298 8209

Email: dan.mecklenborg@ingram barge.com



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

IN THE MATTER OF: )  
SBA SHIPYARD SUPERFUND SITE )  
JENNINGS, JEFFERSON DAVIS )  
PARISH, LOUISIANA )  
 )  
ACBL Oldco, LLC )  
American Commercial Barge Line LLC )  
Ashland LLC )  
Canal Barge Company, Inc. )  
Cenac Towing Company, LLC )  
Hornbeck Offshore Transportation, LLC )  
Martin Energy Services LLC )  
Martin Operating Partnership LP )  
Talen's Marine & Fuel, LLC )  
Phillips 66 Company )  
 )  
Respondents )  
 )  
Proceeding Under Sections 104, 107 )  
and 122 of the Comprehensive )  
Environmental Response, Compensation, )  
and Liability Act, 42 U.S.C. §§ 9604, )  
9607 and 9622. )  
 )

CERCLA Docket No. 06-08-16

**FIRST AMENDMENT TO THE  
ADMINISTRATIVE SETTLEMENT  
AGREEMENT AND ORDER ON  
CONSENT FOR REMEDIAL  
INVESTIGATION/FEASIBILITY  
STUDY**

THE UNDERSIGNED RESPONDENT enters into this First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study in the matter of CERCLA Docket No. 06-08-16 relating to the SBA Shipyard Site, Jennings, Jefferson Davis Parish, Louisiana:

FOR RESPONDENT: Superfund Management Operations, a series of Evergreen Resources Group, LLC, as successor in interest to Sun Oil Company n/k/a Sunoco, Inc. and Sun Marine Terminals of Louisiana, Inc.

2 Righter Pkwy, Suite 200, Wilmington, DE, 19803  
Print Address

BY:   
Signature

2/21/18  
Date

Scott Cullinan  
Print Name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study with respect to the Respondent who has signed above.

Print Name and Contact information

Name: Scott Cullinan

Title: President

Address: 2 Righter Pkwy, Suite 200

Wilmington, DE 19803

Telephone Number: 303-477-0139

Email: [scullinan@evergreenresmgt.com](mailto:scullinan@evergreenresmgt.com)

## APPENDIX C

(As amended by the First Amendment to the Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study)

- ACBL Oldco, LLC, a Delaware limited liability company, as successor in interest to National Marine, Inc.
- American Commercial Barge Line LLC, a Delaware limited liability company.
- Ashland LLC (f/k/a Ashland Inc. into which Ashland Oil, Inc. f/k/a Ashland Oil and refining Company was merged), a Kentucky limited liability company, and on behalf of its former subsidiaries and division, including Ashland Petroleum Company and Ashland Oil Company.
- Canal Barge Company, Inc., a Louisiana corporation.
- Cenac Towing Co., LLC, a Louisiana limited liability company, as successor by merger with Cenac Towing Co., Inc.
- Hornbeck Offshore Transportation, LLC, a Delaware limited liability company, as successor in interest to LEEVAC Marine, Inc.
- Martin Energy Services LLC, an Alabama limited liability company, as successor-by-merger to L&L Oil and Gas Services, L.L.C.
- Martin Operating Partnership L.P., a Delaware limited partnership, as successor to Martin Gas Marine, Inc.
- Talen's Marine & Fuel, LLC, a Louisiana limited liability company, as successor-by-conversion to Talen's Marine & Fuel, Inc.
- Phillips 66 Company, a Delaware corporation, as successor in interest to certain liabilities of ConocoPhillips Company (as successor in interest to Conoco Inc. and Continental Oil Company)
- Ingram Barge Company LLC.
- Superfund Management Operations, a series of Evergreen Resources Group, LLC, as successor in interest to Sun Oil Company n/k/a Sunoco, Inc. and Sun Marine Terminals of Louisiana, Inc.